IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 4598 of 2007(V)

PETITIONER:

SANTHAMMA JOHN, AGRICULTURAL ASSISTANT,
KRISHI BHAVAN, WEST KALLADA, KOLLAM.

BY ADV. SRI.BRIJESH MOHAN
SMT.RESMI G. NAIR

RESPONDENTS:

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1. THE DIRECTOR OF AGRICULTURE,
DIRECTORATE OF AGRICULTURE,
THIRUVANANTHAPURAM.

2. THE PRINCIPAL AGRICULTURAL OFFICER,
KOLLAM.

3. THE AGRICULTURAL OFFICER,
KRISHI BHAVAN, WEST KALLADA,
KOLLAM.

4. THE SECRETARY,
WEST KALLADA GRAMA PANCHAYATH,
WEST KALLADA, KOLLAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 4598 of 2007

Dated this the 21st day of February, 2007

JUDGMENT

The petitioner, while working as Agricultural Assistant, Krishi Bhavan, West Kallada in Kollam District has been transferred by Ext.P2 order passed by the second respondent on 6.2.2007. The reason for transferring the petitioner from West Kallada to Klappana is that such transfer is necessary in public interest. The challenge is to Ext.P2. It is contended that there is no public interest involved, as stated in Ext.P2, and the petitioner has been subjected to transfer in violation of the guidelines and without any valid reason.

2. The petitioner has filed Exts.P4 to P8 along with I.A.No.2715/2007. Among them, Ext.P4 is the letter sent on 12.12.2006 by the President of West Kallada Grama Panchayath to the second respondent showing the need for transferring the

petitioner from Krishi Bhavan, West Kallada. Counsel for the petitioner submits that though a copy of Ext.P4 was not served on the petitioner, she applied for a copy and got the same. Ext.P4, on the face of it, reveals serious allegations against the petitioner. It is contended that those allegations are baseless. I do not think it necessary to examine whether the allegations are true or not while examining the legality and validity of Ext.P2 order. It is pertinent to note that Ext.P2 does not cast any aspersions against the petitioner. It contains only a reference to Ext.P4 letter and a recital to the effect that the proceedings have become necessary in public interest. Ext.P4 is an interdepartmental communication. The petitioner has, however come to know about it when she got a copy of the same on application made by her.

3. For the purpose of examining the validity of Ext.P2 order, I need only say that the recitals contained therein that the transfer has been ordered in public interest, has basis. That being the position, this Court need not interfere with Ext.P2 order, on the ground that certain guidelines issued by the Government

prescribing norms for transfer stand violated. The writ petition fails and is dismissed.

K.K.DENESAN, JUDGE

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